

OLC 80-0180/4
12 February 1980

MEMORANDUM FOR: See Distribution

STATINTL

FROM:
Chief, Legislation Division, OLC

SUBJECT: Fiscal Year 1981 Intelligence Authorization
Bill

Attached is the draft Fiscal Year 1981 Intelligence
Authorization Bill as forwarded to the Speaker of the House
and the President of the Senate on 7 February 1980.

STATINTL



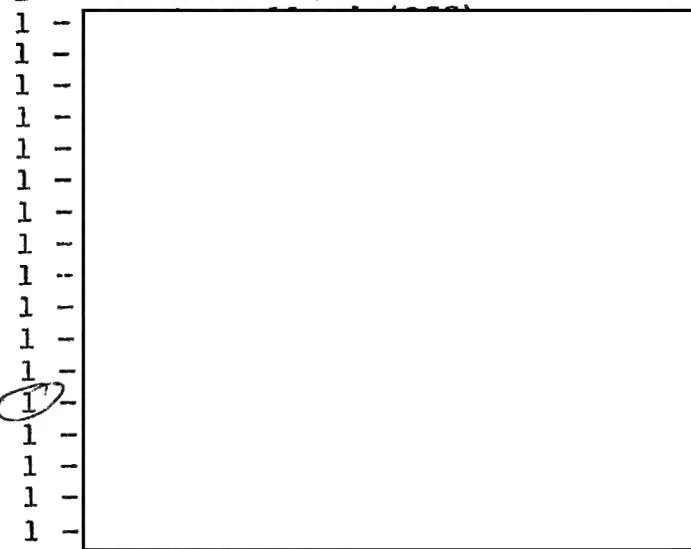
Attachment

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OL 0 0765

7 February 1980

Honorable Thomas P. O'Neill
Speaker of the House of
Representatives
Washington, D.C. 20515

Dear Mr. Speaker:

This letter transmits for the consideration of the Congress a draft "Intelligence and Intelligence-Related Activities Authorization Act for Fiscal Year 1981."

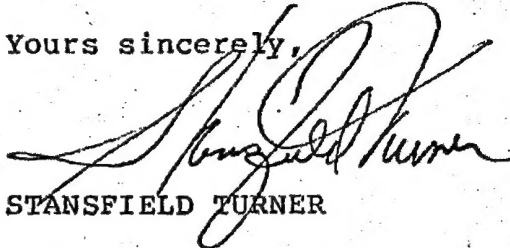
Cooperative efforts by the Executive and Legislative Branches in the authorization process have been indicative of the strong bonds that the Administration and Congress have forged in the development of meaningful congressional participation in the oversight of our nation's intelligence apparatus. I am confident that for fiscal year 1981 the Congress will provide the resources needed to enhance the Intelligence Community's ability to monitor the military activities of our adversaries and to provide insights into the political, economic, and social forces which will shape world affairs in the 1980's.

The draft Intelligence Authorization Bill is substantively similar to the Fiscal Year 1980 Act (P.L. 96-100). Consistent with Administration policy, Title IV contains a technical provision relating to compliance with Section 607 of P.L. 93-344, the Congressional Budget Act of 1974. The draft Bill also contains a provision which would authorize the Central Intelligence Agency to accept gifts and bequests. This provision is designed to enable the Agency to receive artistic works, books, funds for employee recreation activities, memorabilia, and the like.

I am hopeful that the Congress will heed the President's call for increased efforts to guard against damage to our crucial intelligence sources and methods, and will move forward with several separate pieces of pending legislation designed to safeguard intelligence capabilities without impairing the rights of Americans or interfering with legitimate congressional oversight.

Early and favorable consideration of the draft "Intelligence and Intelligence-Related Activities Authorization Act for Fiscal Year 1981" would be greatly appreciated. The Office of Management and Budget has advised that enactment of this proposed legislation would be in accord with the program of the President.

Yours sincerely,

A handwritten signature in dark ink, appearing to read "Stansfield Turner", written over the typed name.

STANSFIELD TURNER

7 February 1980

Honorable Walter F. Mondale
President of the Senate
Washington, D.C. 20510

Dear Mr. President:

This letter transmits for the consideration of the Congress a draft "Intelligence and Intelligence-Related Activities Authorization Act for Fiscal Year 1981."

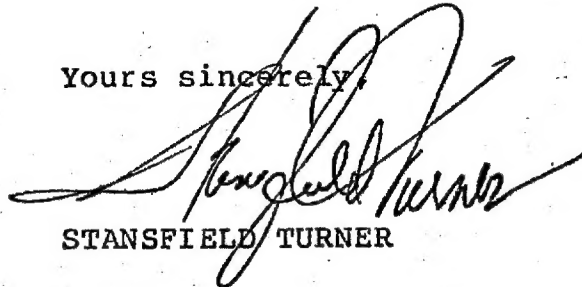
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Yours sincerely,

A handwritten signature in dark ink, appearing to read "Stansfield Turner", is written over the typed name. The signature is fluid and cursive, with a large initial "S" and a long, sweeping underline.

STANSFIELD TURNER

A BILL

To authorize appropriations for fiscal year 1981 for intelligence and intelligence-related activities of the United States Government, for the Intelligence Community Staff, for the Central Intelligence Agency Retirement and Disability System, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Intelligence and Intelligence-Related Activities Authorization Act for Fiscal Year 1981".

TITLE I - INTELLIGENCE ACTIVITIES

Sec. 101. (a) Funds are hereby authorized to be appropriated for fiscal year 1981 for the conduct of the intelligence and intelligence-related activities of the following departments, agencies, and other elements of the United States Government:

- (1) The Central Intelligence Agency.
- (2) The Department of Defense.
- (3) The Defense Intelligence Agency.
- (4) The National Security Agency.
- (5) The Department of the Army, the Department of the Navy, and the Department of the Air Force.
- (6) The Department of State.
- (7) The Department of the Treasury.
- (8) The Department of Energy.
- (9) The Federal Bureau of Investigation.
- (10) The Drug Enforcement Administration.

(b) The amounts authorized to be appropriated under this Act, and the authorized personnel ceilings as of September 30, 1981, for the conduct of the intelligence and intelligence-related activities of the agencies listed in subsection (a) are those listed in the classified Schedule of Authorizations prepared by the committee of conference to accompany the conference report on the bill , 96th Congress. That Schedule of Authorizations shall be made available to the Committees on Appropriations of the Senate and House of Representatives and to the President. The President shall provide for suitable distribution of the Schedule, or of appropriate portions of the Schedule, within the Executive Branch.

(c) Nothing contained in this Act shall be deemed to constitute authority for the conduct of any intelligence activity which is prohibited by the Constitution or laws of the United States.

TITLE II - INTELLIGENCE COMMUNITY STAFF

Sec. 201. (a) There is authorized to be appropriated for the Intelligence Community Staff for fiscal year 1981 the sum of \$18,700,000.

(b)(1) The Intelligence Community Staff is authorized 245 full-time personnel as of September 30, 1981. Such personnel may be permanent employees of the Intelligence Community Staff or personnel detailed from other elements of the United States Government.

(2) During fiscal year 1981, personnel of the Intelligence Community Staff shall be selected so as to provide appropriate representation from elements of the United States Government engaged in intelligence and intelligence-related activities.

(3) During fiscal year 1981, any officer or employee of the United States or member of the Armed Forces who is detailed to the Intelligence Community Staff from another element of the United States Government shall be detailed on a reimbursable basis, except that any such officer, employee, or member may be detailed on a nonreimbursable basis for a period of less than one year for the performance of temporary functions as required by the Director of Central Intelligence.

(c) During fiscal year 1981, activities and personnel of the Intelligence Community Staff shall be subject to the provisions of the National Security Act of 1947 (50 U.S.C. 401 et seq.) and the Central Intelligence Agency Act of 1949 (50 U.S.C. 403a-403j) in the same manner as activities and personnel of the Central Intelligence Agency.

TITLE III - CENTRAL INTELLIGENCE AGENCY RETIREMENT AND DISABILITY SYSTEM

Sec. 301. There is authorized to be appropriated for the Central Intelligence Agency Retirement and Disability Fund for fiscal year 1981 the sum of \$55,300,000.

TITLE IV - TECHNICAL PROVISIONS

Sec. 501. Appropriations authorized by this Act for salary, pay, retirement, and other benefits for federal employees may be increased by such additional or supplemental amounts as may be necessary for increases in such benefits authorized by law.

Sec. 502. There are authorized to be appropriated for fiscal year 1982 such sums as may be necessary for intelligence and intelligence-related activities of the United States Government, for the Intelligence Community Staff, and for the Central Intelligence Agency Retirement and Disability System.

Sec. 503. Section 5 of the Central Intelligence Agency Act of 1949, 50 U.S.C. 403f, is amended by adding at the end thereof the following new subsection: "(f) Accept, hold, administer, and utilize for artistic or general employee or dependent welfare, educational, recreational or like purposes, gifts, bequests or devises of money, securities or other property of whatsoever character whenever the Director determines that it would be in the interest of the United States to do so, but he shall accept no gift which is expressly conditioned upon any expenditure not to be met therefrom or from the income thereof unless such expenditure has been approved by Act of Congress. Unless otherwise restricted by the terms of the gift, bequest or devise, the Director may sell or exchange, and invest or reinvest such property in interest-bearing obligations of the United States or in obligations guaranteed as to both principal and interest by the United States. Gifts, bequests, and devises of money, securities and other intangible property accepted pursuant to this subsection, and the earnings and proceeds thereof, shall be deposited in a separate fund to be called the Central Intelligence Agency General Gift Fund and shall be disbursed upon the order of the Director. For purposes of Federal income, estate and gift taxes, gifts, bequests and devises accepted by the Director shall be deemed to be to or for the use of the United States."